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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,207	09/08/2000	Robert J. Donaghey	00-4007	3500

32127 7590 04/20/2004

VERIZON CORPORATE SERVICES GROUP INC.
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EXAMINER	
LUU, LE HIEN	

ART UNIT	PAPER NUMBER
2141	6

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/658,207	DONAGHEY ET AL.	
	Examiner	Art Unit	
	Le H Luu	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

1. Claims 1-25 are presented for examination.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless—

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language,
>
> or
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 5-7, 9-10, 13-14, 16, and 21 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Waclawsky** patent no. **6,539,026**.

4. As to claim 1, Waclawsky teaches the invention as claimed, including a method that ensures policy coherence among a group of peer devices comprising:

detecting an addition of a new policy version (col. 19 line 58 - col. 20 line 29);

generating a message containing the newly added policy version in response to detecting the addition of the new policy version (col. 19 line 58 - col. 20 line 29); and

transferring the message to the peer devices (col. 9 lines 39-46; col. 19 line 58 - col. 20 line 29).

5. As to claim 2, Waclawsky teaches the newly added policy version is a policy that relates to at least one of system administration, system security, command and control, and courses of action (col. 8 line 12-39; col. 9 lines 37).

6. As to claim 3 Waclawsky teaches determining whether a policy version has become newly active; generating a second message containing an indication of the newly active policy version; and sending the second message to the peer devices (col. 19 line 58 - col. 20 line 29).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 4, 8, 11-12, 15, 17-20, and 22-25 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Waclawsky** patent no. **6,539,026**, in view of **McCloghrie et al. (McCloghrie)** patent no. **6,286,052**.

9. As to claim 4, Waclawsky teaches the invention substantially as claimed, as discussed above. However, Waclawsky does not explicitly teach an active policy database stores a list of active policy identifiers.

McCloghrie teaches a database contains Policy Identifiers as described in COPS Usage for Differentiated Services (col. 14 lines 25-44).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Waclawsky and McCloghrie to stores a list of active policy identifiers in an active policy database because it would allow a device to be configured for a particular services using active policies stored in the active policy database.

10. Claims 5-25 have similar limitations as claims 1-4; therefore, they are rejected under the same rationale.

11. In the remarks, applicant rebutted in substance that

(A) Prior art does not teach generating a message containing the newly added policy version in response to detecting the addition of the new policy version.

As to point (A), Waclawsky teaches network policy server 150 generate a message that contains a latest version (at time t) of network policy 207 in response to detecting the addition of new policy version by data communication device 200 (col. 19 line 58 - col. 20 line 29).

(B) Prior art does not teach determining whether a policy version has become newly active; generating a second message containing an indication of the newly active policy version; and sending the second message to the peer devices.

As to point (B), Waclawsky teaches the data communication device periodically determines whether another latest version (at time t1 which is later than time t) of network policy in the network policy server has become newly active. The network policy server generate another message that contains the another latest version of the network policy; and sending the another message to the data communication device (col. 19 line 58 - col. 20 line 29).

(C) Prior art does not teach anonymous policy server nor anonymous peer device.

As to point (C), Waclawsky teaches allowing devices to obtain updates from a network policy server, and Waclawsky also teaches a well-known embodiment that network policy server actively distribute new policies to devices at once (col. 19 line 58 - col. 20 line 29). Waclawsky did not discuss device authentication prior to obtain the updates. Therefore, the network policy server and the devices are anonymous.

(D) Prior art does not teach storing of a newly active policy in an active policy database, in response to a policy version becoming newly active, where the active policy database stores a list of active policy identifiers.

As to point (D), Waclawsky teaches invention substantially as claimed, as discussed above. However, Waclawsky does not explicitly teach an active policy database stores a list of active policy identifiers.

McCloghrie teaches a database contains Policy Identifiers as described in COPS Usage for Differentiated Services (col. 14 lines 25-44).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Waclawsky and McCloghrie to stores a list of active policy identifiers in an active policy database because it would allow a device to be configured for a particular services using active policies stored in the active policy database.

12. Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.").

13. Applicant's arguments filed on 01/30/04 have been fully considered but they are not deemed to be persuasive.

14. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications; please mark "EXPEDITED PROCEDURE").

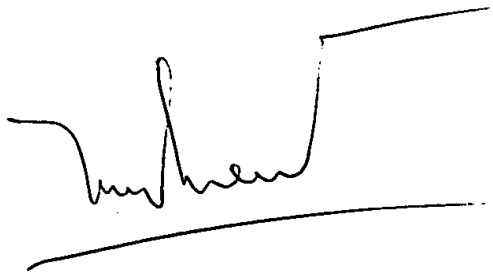
Or:

(703) 872-9306, (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Or:

(703) 746-7238 (for After Final communications).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).



LE HIEN LUU
PRIMARY EXAMINER

April 16, 2004